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IN THE UNITED STATES DISTRICT COURT
FOR THE TERRITORY OF GUAM

GLENN A. LANGDALE-HUNT,

Plaintiff,

vs.

UNITED STATES OF AMERICA,

Defendant.

CIVIL CASE NO. 02-00017

ANSWER OF THE UNITED STATES

Defendant UNITED STATES Of AMERICA, hereby answers the Complaint as follows:

1. Paragraph 1 states legal conclusions which do not require an answer. To the extent an answer is required Defendant **Denies**.

2. The Defendant is without sufficient knowledge at this time to admit or deny the factual allegations of paragraph 2 and therefor **Denies** paragraph 2 in its entirety. Further Plaintiff's administrative claim was not attached to Plaintiff's complaint.

3. The Defendant is without sufficient knowledge at this time to admit or deny the factual allegations of paragraph 3 and therefor **Denies** paragraph 3 in its entirety.

4. Defendant Denies.

5. Paragraph 5 states legal conclusions which do not require an answer. To the extent an answer is required Defendant **Denies**.

6. Defendant Denies.

7. The Defendant is without sufficient knowledge at this time to admit or deny the factual allegations of paragraph 7 and therefor **Denies** paragraph 7 in its entirety.

8. Defendant incorporates by reference answers to paragraphs 1 through 7, above.

9. The Defendant is without sufficient knowledge at this time to admit or deny the factual allegations of paragraph 9 and therefor **Denies** paragraph 9 in its entirety.

10. The Defendant is without sufficient knowledge at this time to admit or deny the factual allegations of paragraph 9 and therefor **Denies** paragraph 9 in its entirety.

11. Paragraph 11 states a legal conclusion which does not require an answer. To the extent an answer is required Defendant **Denies**.

12 Paragraph 12 states legal conclusions which do not require an answer. To the extent an answer is required , the Defendant is without sufficient knowledge at this time to admit

1 or deny the factual allegations of paragraph 12 and therefor **Denies** paragraph 12 in its entirety.

2
3 13 Paragraph 13 states legal conclusions which do not require an answer. To the
4 extent an answer is required, the Defendant is without sufficient knowledge at this time to admit
5 or deny the factual allegations of paragraph 13 and therefor **Denies** paragraph 13 in its entirety.

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7 14. Paragraph 14 states legal conclusions which do not require an answer. To the
8 extent an answer is required, the Defendant is without sufficient knowledge at this time to admit
9 or deny the factual allegations of paragraph 14 and therefor **Denies** paragraph 14 in its entirety.

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11 15. Defendant **Denies**.

12
13 **AFFIRMATIVE DEFENSES**

14 1. The complaint fails to state a claim against the United States.

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16 2. The Plaintiff has failed to exhaust his administrative remedies in accordance with
17 28 USC § 2675 (a) and (b).

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19 3. Plaintiff has failed to name indispensable parties to this action.

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21 4. The negligence as alleged was not the result of an agent or employee of the United
22 States.

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24 5. The vehicle as alleged was not in the possession of the United States as alleged.

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26 6. This action is barred by the collateral source rule.

1 7. This action is barred by the Guam workers Compensation Statute Title 22, GCA
2 Chapter 9.

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4 RESPECTFULLY submitted this 31st day of July, 2002.

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6 FREDERICK A. BLACK
7 United States Attorney
8 Districts of Guam and NMI

9 BY: 

10 EDWARD J. LYNCH
11 Special Assistant U.S. Attorney
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